

GOAL 4 – HEALTHY COMMUNITIES & ECOSYSTEMS

Responses to State and Tribal Issues

SUMMARY OF GENERAL COMMENTS

Region 1

- *Addressing key tribal issues in NSP:* Lead, evaluating contaminant concentrations in natural resources utilized by the tribes for food, medicinal and spiritual purposes—could require revision of targets and additional language.
- Integration of P2 throughout all programs, by addressing it in each goal or making it a cross-goal strategy

Region 2

- NY stated that targets in the current EPA plan have quantifiable measures that are discernable.
- Recommend strengthening incentives and self auditing policies.
- Reaffirmation of government-to-government relationships with nations cross-the-board.
- All Indian Nations in aboriginal territory (i.e.- land claim areas) should be recognized.
- EPA's current 5-goal architecture does not readily provide for energy considerations.
- More partnership regarding Caribbean issues.

Region 4

- One way to deal with the types of issues R4 receives would be to organize the new Strategic Plan by types of ecosystems.

Region 6

- Recommends that EPA consider adding a section in the “Cross-Goal Strategies” chapter regarding the focus on EPA border related subjects.

Region 7

- Strategic Plan is too long — suggest creating a shorter summary version to go along with the regular new Strategic Plan.
- National priorities shouldn't drive regional priorities.

- Plan needs to allow the flexibility of local strategies — regional emphasis is overshadowed by national.
- Environmental issues affecting tribes were not specifically reflected in the plan; NTC however has no specific recommendations.
- Create broader strategic measures.
- P2: Move P2 activities from Goal 5 to Goal 4.

Region 8

- *Pesticide use in Indian country:* The introduction in Goal 4 to pesticide usage in Indian country could be expanded to address how pesticides may affect traditional tribal food sources, medicinal plants and other traditional practices.

Region 9

- Create a subobjective/measure that would convey that there has been improvement in protecting workers/applicators in Indian country.
- Address communities facing adverse disproportionate impacts (i.e.- US/Mexico Border, Barrio Logan in San Diego, North Richmond. CA) as new strategic subobjectives/targets).
- Subobjectives/targets needed conveying improved environmental protection in the Pacific Islands by providing water infrastructure, addressing wastewater disposal needs, improving waste management, and building environmental protection capacity.
- Subobjectives/targets needed that display the facilitation of the ecosystem-scale protection and restoration of natural areas with a focus on the SF Bay, Santa Monica Bay, and Morro Bay in CA, and the coral reefs in the Pacific Ocean.

Region 10

- Energy Generation & Conservation: Strategies need to be created in the new Strategic Plan that address/promote the use of other environmentally friendly alternatives to petroleum.
- New Strategic Plan should acknowledge a need for greater focus on environmental issues of common concern to EPA, state environmental agencies, and state agricultural agencies.
- New Strategic Plan should acknowledge that greater focus and coordination is needed with issues related to toxins in the Columbia River.

EPA RESPONSES TO GENERAL COMMENTS

- In response to Region 4 States comment that the Albemarle-Pamlico National Estuary Program is an important issue/priority, EPA responds that the proposed Goal 4 includes a Sub-Objective to facilitate the ecosystem-scale protection and restoration of estuaries of national significance designated under the National Estuary Program.
- In response to the comment from the State of Georgia that the protection of ecosystems and sustainability of habitats supporting a diverse and productive mix of native species is an important issue/priority, EPA responds that Goal 4 includes a proposed Objective to protect, sustain, and restore the health of critical habitats and ecosystems.
- In response to the Region 4 States' comments that the increase of the States' understanding of multi-pollutant and multi-media impacts sources have on the environment as well as the expansion of the collection and reliance on real data to fill gaps and mitigate uncertainties associated with cause and effect of known environmental issues are important issues/priorities, EPA responds that Goal 4 includes a proposed Objective to enhance science and research to provide a sound scientific foundation for EPA's goal of protection, sustaining, and restoring the health of people, communities and ecosystems by conducting leading-edge research and developing a better understanding and characterization of environmental outcomes.
- EPA agrees with the Region 4 States' comments that an increase in public awareness of potential adverse effects of the introduction of chemicals and pesticides into ground water systems through karst features is an important issue/priority. Towards this end, EPA is proposing to maintain existing elements of the strategic plan concerning the quality of drinking water and source water protection in Goal 2.
- EPA agrees with Region 4 States' comments that the restoration of Florida's Everglades and protection of Florida springs is an important issue/priority. Goal 4 includes a proposed Sub-objective and Strategic Targets to restore, protect, and maintain the South Florida Ecosystem including the Everglades and coral reef systems.
- In response to Region 9 States, Tribes, and Pacific Islands' comments that minimizing the reporting burden is important, EPA responds that it is working to reduce reporting burden and expects to reduce the number of program measures related to the Strategic Plan in future years.
- In response to the comment from the State of Iowa that "unanswered" communities received insufficient focus in Goal 2 and Goal 4, EPA responds that it agrees that better management of sewage disposal is important. The Agency continues to support State Revolving Loan Funds to help address this problem. EPA is also working to help States develop subsurface sewage management guidelines.

- In response to Region 10 and Region 10 States' comments that EPA should focus on environmental issues of common concern to EPA, State environmental agencies, and State agriculture agencies such as water quality, TMDL implementation, air quality and agricultural burning, and pesticides and legal issues with designation of waters of the US, EPA agrees that close cooperation among Federal agencies, especially among EPA and agriculture agencies, is important for effective protection of water quality.
- In response to the comment from Region 10 States and Tribes that greater focus and coordination on major toxics problems and cleanup efforts in three major sections of the Columbia River are needed, EPA responds that Goal 4 includes a proposed Sub-Objective and Strategic Targets that focuses on restoring and protecting the Columbia River Basin.
- In response to the comment from the State of New York that recommended additional issues including emerging pathogens in wildlife, fish, and shellfish populations be added to Goal 4, EPA responds that Goal 2 includes a proposed Sub-Objective for reducing the health risk to the public from consumption of fish and shellfish.
- In response to Region 3 and the Region 3 States comments related to the Chesapeake Bay, EPA responds that Goal 4 includes a proposed Sub-objective to improve the aquatic health of the Chesapeake Bay.
- In response to Region 3 and the Region 3 States' priorities related to wetlands, EPA responds that Goal 4 includes a proposed Sub-objective to continue efforts to protect and restore wetlands.
- In response to Region 3 and the Region 3 States' recommendation to move objective 4.3- Ecosystems to Goal 2, EPA responds that it has adopted a policy of not moving program areas from one goal to another at this time. EPA is proposing two water related Goals which include: Goal 2, Clean and Safe Water, and Goal 4, Healthy Communities and Ecosystems. EPA feels that including selected, mostly place based water programs in the Ecosystem Objective of Goal 4 strengthens the Strategic Plan. The new Goal 4, however, consolidates water programs within the Ecosystem Objective of Goal 4, rather than in multiple Goal 4 objectives.
- Utilizing a logic model four-phase process, EPA in partnership with states and tribes, has developed new output oriented performance measures for pesticides. Currently the Agency is at phase three, which entails adopting new Annual Performance Measures. Phase four will be the implementation and making adjustments to the Strategic Plan and Annual Performance Goal/Performance Measures structure. EPA is also working internally to develop a strategic target that addresses international concerns.
- EPA is on course to reaching the strategic target of eliminating and managing HPV chemicals via data obtained through the HPV program. Data collection nearing completion of U.S. sponsored chemicals and will commence a tiered screening program to prioritize follow-up actions chemicals of initial concern. The program's publicly

available data system, HPVIS (High Production Volume Information System), will significantly help increase public awareness of potential adverse affects of HPV chemicals.

SUMMARY OF COMMENTS ON OBJECTIVE 4.1: CHEMICAL, ORGANISM, AND PESTICIDE RISKS.

Region 1

- *4.1.1 & 4.1.3 -Addressing the funding issue:* Region 1 is finding it difficult to address/manage issues relating to core state pesticide and toxic programs. Suggests a restructuring of strategic targets in 4.1.1 and narrative for the means and strategy section.
- *4.1.1- PART process excludes state involvement:* States are concerned about the results of the PART process for pesticides and toxics programs and would like to have the opportunity to provide input into these reviews.

Region 6

- *Focus on non-point source pesticide use:* There are no known provisions under FIFRA that allow for a regulatory strategy to address the issue.

Region 8

- *Pesticide harmonization:* Pesticide international harmonization is not specifically mentioned in the NSP and should be discussed under Objective 4.1.

Region 9

- NSP should address specific chemical/biological risks affecting Region.
- Develop a national mercury strategy to address air deposition on impacted water bodies.

Region 10

- *Revision of TSCA Implementation:* in assessing possible flame-retardant alternatives to PBDE it was discovered that there was many data-loopholes. There needs to better implementation of up-front data collection. One suggestion to improve collection would be a requirement of environmental and biomonitoring of chemicals.
 - *Modification of G 4 O 1 Chemical, Organic & Pesticide Risks:* Create a better strategy for assessment on toxins, which includes environmental and worker biomonitoring under the Toxic Substances Control Act.

EPA RESPONSES TO COMMENTS ON OBJECTIVE 4.1: CHEMICAL, ORGANISM, AND PESTICIDE RISKS.

- Current and proposed strategic targets for the Lead program assume continuation of funding at the enacted 05/06 levels, which are paralleled in the FY 07 President's Budget.
- New Lead program Performance Measures, established as a result of the program recently being PARTed, are not anticipated to have an impact on State program activities or resource requirements.
- EPA is commencing development of measuring Lead program outreach activities and will consult states during that process.
- EPA's proposed 2011 Strategic Targets directly address lead by continuing EPA's commitment to the federal goal to eliminate childhood lead poisoning in America by 2010.
- EPA will continue its work to ensure that PCBs disposal sites are safely managed and provide assistance in the safe retirement, destruction, or other disposition of Department of Defense weapons and ships containing PCBs.
- As part of its proposed 2011 Strategic Target to continue reducing human and environmental chemical risks, EPA will continue work to assess risks of, and alternatives to, brominated flame retardants in electronics and furniture and in other product categories. The President's FY 2007 budget request proposes a new initiative specifically aimed at addressing environmental concerns in the electronics sector.
- EPA has also developed a draft Mercury Road Map to guide action under EPA's current and future Strategic Plan to reduce mercury risks.
- A June 2005 GAO report provided EPA with four recommendations directly related to improving data collection for chemicals:
 - "that the EPA Administrator develop and implement a methodology for using information collected through the HPV Challenge Program to prioritize chemicals for further review and to identify and obtain additional information needed to assess their risks"
 - "that the EPA Administrator promulgate a rule under section 8 of the Toxic Substances Control Act (TSCA) requiring chemical companies to submit to EPA copies of any health and safety studies, as well as other information concerning the environmental and health effects of chemicals, that they submit to foreign governments on chemicals that the companies manufacture or process in, or import to, the United States"
 - "that the EPA Administrator develop a strategy for improving and validating, for regulatory purposes, the models that EPA uses to assess and predict the risks of chemicals and to inform regulatory decisions on the production, use, and disposal of the chemicals"

- “that the EPA Administrator revise its regulations to require that companies reassert claims of confidentiality submitted to EPA under TSCA within a certain time period after the information is initially claimed as confidential”
- EPA addresses these recommendations:
 - Prior to the GAO report, EPA had initiated a prioritization process, developed by EPA’s National Pollution Prevention and Toxics Advisory Committee (NPPTAC), and will make the results of its screening assessment public. EPA has been following and will continue to follow draft Agency guidance regarding the development, evaluation and application of environmental models.
 - While requiring companies to submit to EPA copies of any health and safety studies that they submit to foreign governments may bring useful information, other more targeted approaches for collecting information which are directed at EPA’s domestic priorities, rather than foreign government mandates, may be a more prudent and efficient use of limited government and affected party resources.
 - To further assess the CBI recommendation, EPA is initiating a pilot process, using existing authorities, to review selected older submissions containing CBI claims. The pilot will be used to determine benefits, burdens, and utility of a broader CBI reassertion program.
- In response to the comment that a priority for the Region 9 Tribes is assessing, monitoring, and managing (tiered approach) pesticides of concern in 303(d) listed water bodies in Indian country and recommended adding this as an additional measure/subobjective, EPA responds that Goal 4 includes a proposed Sub-Objective and Strategic Target to protect the environment from pesticide use. In addition, Goal 2 includes a proposed Sub-Objective to improve water quality on a watershed basis and a Strategic Target for tribal waters in Indian country.
- In response to the comment from Region 9 States that EPA develop a national mercury strategy to address air deposition on impacted water bodies, EPA responds that mercury in water and fish is addressed in the Safe Fish and Shellfish Subobjective.

SUMMARY OF COMMENTS ON OBJECTIVE 4.2: COMMUNITIES

Region 1

- *4.2.1-Smart Growth:* States would like appropriate credit against EPA obligations, perhaps in SIPs and TMDLs. Addressing this issue could require revision of Strategic Targets for 4.2.1 as well as additional language in the means and strategy section.
- *4.2.3-Brownfields-* States are concerned with funding levels.

Region 3

- Move Sub-objective 4.2.3 (“Assess & Cleanup Brownfields”) from Goal 4 to Goal 3. Move sub-objective 3.2.2 with sub-objective 4.2.3.
- Address population growth issues — including reforestation and environmentally responsible development to Goal 4.

Region 7

- *Small communities*: narrative on concrete action and projected results is absent throughout NSP.
- *Brownfields*: should be moved to Goal 3.

Region 8

- *Tribal schools*: Objective 4.2 could be expanded with narrative/targets of health in tribal schools.
- *Brownfields*: Restoring sites in Indian country for cultural and traditional uses, as well as increasing tribal capacity in this area.

EPA RESPONSES TO COMMENTS ON OBJECTIVE 4.2: COMMUNITIES

- In response to the comment from the State of Texas that EPA assist States to address area-wide non-point source pollution by developing a non-remediation based public awareness and regulatory strategy and that such a strategy could incorporate both the pesticides and water programs working with the agriculture community, EPA agrees that better coordination between EPA and agriculture agencies of voluntary efforts to reduce non-point pollution associated with pesticides is constructive.
- In response to Region 9 Pacific Islands comment that a priority was that EPA provide water infrastructure in the Pacific Islands to access safe, reliable drinking water and recommended a revision to 4.2 to that effect, EPA responds that it recognizes the need for providing adequate funding for important drinking water and water quality programs.
- As part of the President’s FY 2004 Budget proposal, and reinforced in subsequent budget requests, the Administration committed to providing \$6.8 billion to fund the clean water SRF through 2011. This funding level will enable the CWSRF to revolve at \$3.4 billion each year over the long term. For the DWSRF, the Administration has committed to provide \$850 million per year in capitalization grants through 2018, which is projected to result in a revolving level of \$1.28 billion per year.
- In response to the comment from Region 1 States that they would like appropriate credit against EPA obligations, perhaps in SIPs and TMDLs and that addressing this issue could

require revision of Strategic Targets for 4.2.1 as well as additional language in the means and strategies section, EPA responds that this is an important issue that needs to be addressed directly. Any conclusions from closer attention to this issue could be reflected in the Strategic Plan.

SUMMARY OF COMMENTS ON OBJECTIVE 4.3: ECOSYSTEMS

Region 2

- Chronic Wasting Disease and other emerging pathogens in our wildlife, fish, and shellfish populations need to be considered.
- Pew Commission Oceans study recommendations should be reflected in an update to Goal 4 structure.
- *International*: Global warming issues should be addressed—Virgin Islands.

Region 3

- Move objective 4.3 (“Ecosystems”) to Goal 2 — specifically, move “Protect & Restore Ecosystems”(4.3.1) & “Increase Wetlands”(4.3.2) to “Improve Water Quality on a Watershed Basis” (2.2.1); as both programs are vital to the restoration of watersheds. Subobjectives pertaining to Great Lakes(4.3.3), Chesapeake Bay (4.3.4) and Gulf of Mexico(4.3.5) could all be moved to Goal 2 as separate subobjectives.

Region 10

- *Puget Sound Basin*: Create specific Puget Sound subobjective in 4.3 Ecosystems.

EPA RESPONSES TO COMMENTS ON OBJECTIVE 4.3: ECOSYSTEMS

- In response to the comment from Region 9 States and Pacific Islands that EPA focus on protection and restoration of San Francisco Bay, Santa Monica Bay, Morro Bay, and the coral reefs in the Pacific Ocean and recommended a revision to 4.3.1 to that effect, EPA responds that Goal 4 includes a proposed Sub-Objective to facilitate the ecosystem-scale protection and restoration of estuaries of national significance designated under the National Estuary Program.
- In response to Region 9 States’ comments that achieving an increase in wetland acres is a priority and concurred with 4.3.1, EPA responds that Goal 4 includes a proposed Sub-Objective to achieve a net increase of wetland acres.
- In response to Region 9 Tribes’ comments that a priority is no net loss of wetlands acres in Indian country by 2011 and recommended that this be added as a measure/subobjective to 4.3.2, EPA responds that Goal 4 includes a proposed Sub-Objective to achieve a net

increase of wetland acres. At this time, EPA and the Army Corps of Engineers data systems do not allow tracking of changes in wetlands acres in just tribal lands.

- In response to the comment from the State of Washington that EPA create a specific subobjective for Puget Sound in order to direct national attention and protection to the area, EPA responds that Goal 4 includes a proposed Objective to restore and protect critical ecosystems and a proposed Sub-Objective to restore and protect the Puget Sound Basin.

SUMMARY OF COMMENTS ON OBJECTIVE 4.4: ENHANCE SCIENCE AND RESEARCH

Region 2

- The State of New York commented that the pesticides research cited under Goal 4 should improve our understanding of impacts from aquatic herbicides on non-target species.

EPA RESPONSE TO COMMENTS ON OBJECTIVE 4.4: ENHANCE SCIENCE AND RESEARCH

- EPA agrees with the comment from the State of New York that the pesticides research cited under Goal 4 should improve our understanding of impacts from aquatic herbicides on non-target species.